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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/528,607

03/21/2005

Jeroen Anton Johan Leijten

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08/21/2008

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TWO PRUDENTIAL PLAZA, SUITE 4900  
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EXAMINER

ELLIS, RICHARD L

ART UNIT

PAPER NUMBER

2183

MAIL DATE

DELIVERY MODE

08/21/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/528,607	<b>Applicant(s)</b> LEIJTEN ET AL.	
	<b>Examiner</b> Richard Ellis	<b>Art Unit</b> 2183	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-8 and 13-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,2,4-7,13-15 and 18 is/are allowed.
- 6) ☒ Claim(s) 8,16 and 17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### REPLACEMENT OFFICE ACTION

This action replaces and withdraws the finality of the previous office action, mailed August 11, 2008.

1. Claims 1-2, 4-8 and 13-18 are presented for examination.
2. The drawings are objected to as failing to comply with 37 CFR § 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: IMU, UC<sub>4</sub>, UC<sub>0</sub>, UC<sub>1</sub>, UC<sub>2</sub>, UC<sub>3</sub>, RF<sub>2</sub>, RF<sub>1</sub>, RF<sub>0</sub>, CN, SQ, FU<sub>20</sub>, FU<sub>21</sub>, FU<sub>22</sub>, DEC, TSC, IRN, ORN. Correction is required. This objection is maintained from the previous office action, paper number 20070517, mailed May 22, 2007.
3. The objection to the drawings above is maintained from the prior office action, mailed January 30, 2008. Applicant's response indicates that they are preparing replacement drawing sheets to correct the omission noted in the prior action. However, the above drawing objection must be maintained by the office until the replacement drawing sheets are submitted.
4. The following is a quotation of the appropriate paragraphs of 35 USC § 102 that form the basis for the rejections under this section made in this Office action:  
  
A person shall be entitled to a patent unless --  
  
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
5. Claims 8 and 16-17 are rejected under 35 USC § 102(b) as being anticipated by Slavenburg, U.S. Patent 6,122,722.

Slavenburg first cited as a prior art reference in the office action mailed December 21, 2006.

Slavenburg taught (e.g. see figs. 1-11) the invention as claimed (as per claim 8), including a data processing ("DP") system comprising:

- A. storing input data in a register file (fig. 3, 403);
- B. processing data retrieved (401) from the register file (403) based on control signals ("CONTROL UNIT") generated from a set of instructions being executed in parallel ("IIR"), using a plurality of issue slots ("ISSUE 1" ... "ISSUE 3") controlled by a set of control words being generated from the set of instructions ("CONTROL UNIT"),

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- and wherein each issue slot comprises a plurality of functional units ("CONST UNIT", "ALU<sub>1</sub> UNIT", "ALU<sub>2</sub> UNIT", "MUL UNIT", "FPU UNIT", "MEM UNIT"), and;
- C. loading an immediate value into a dedicated issue slot ("CONST UNIT" in dependence upon a dedicated instruction (fig. 4, 403) comprising the immediate value ("CONSTANT FIELD")).
6. As to claim 16, Slavenburg taught the dedicated issue slot was controlled (fig. 3, "CONTROL UNIT") to load the immediate value by a control word consisting of the immediate value (fig. 4, 403, "CONSTANT FIELD", fig. 7 "CONSTANT (PSEUDO UNIT 1 OUTPUT)).
7. As to claim 17, Slavenburg taught executing the dedicated instruction (fig. 4, 403) with a single functional unit of the dedicated issue slot (fig. 3, "CONST UNIT").
8. Claims 8 and 16-17 are rejected under 35 USC 102(b) as being anticipated by Mehra, U.S. Patent 5,974,537.
- Mehra was first cited as a prior art reference in the office action mailed December 21, 2006.
- Mehra taught (e.g. see figs. 1-6) the invention as claimed (as per claim 8), including a data processing ("DP") system comprising:
- A. storing input data in a register file (fig. 5, 540);
- B. processing data retrieved from the register file based on control signals generated from a set of instructions being executed in parallel (520), using a plurality of issue slots controlled by a set of control words being generated from the set of instructions (521, 522, 523), and wherein each issue slot comprises a plurality of functional units (531, 532, 533, 534, 535, 536, 537), and;
- C. loading an immediate value (fig. 6, 610, "CONSTANT") into a dedicated issue slot (531) in dependence upon a dedicated instruction (610) comprising the immediate value ("CONST").
9. As to claim 16, Mehra taught the dedicated issue slot was controlled to load the immediate value ("CONSTANT") by a control word consisting of the immediate value (610).

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10. As to claim 17, Mehra taught executing the dedicated instruction with a single functional unit of the dedicated issue slot (531).
11. Claims 1-2, 4-7, 13-15 and 18 are allowable over the prior art of record. Cancellation of claims 8 and 16-17 in any response to this office action would result in allowance of the entire application.
12. A shortened statutory period for response to this final action is set to expire THREE MONTHS from the date of this action. In the event a first response is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR § 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than SIX MONTHS from the date of this final action.
13. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Richard Ellis whose telephone number is (571) 272-4165. The Examiner can normally be reached on Monday through Thursday from 7am to 5pm.  
  
If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Eddie Chan, can be reached on (571) 272-4162. The fax phone number for the USPTO is: (703)872-9306.  
  
Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2100.

/Richard Ellis/  
Primary Examiner, Art Unit 2183  
August 20, 2008